



ATTORNEYS AT LAW

ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

Re: Inventor: Michel FONTAINE  
Serial No: 10/807,121  
Filed: March 24, 2004  
For: PACKAGING AND APPLICATOR DEVICE FOR A COSMETIC  
PRODUCT AND/OR A BEAUTY CARE PRODUCT  
INCORPORATING A MEANS OF HEATING

SIR:

Attached hereto for filing are the following papers:

Notice to File Missing Parts  
Filing of Declaration/Declaration

Our check in the amount of \$0.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

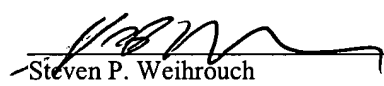
OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Docket No. 237081US26

Customer Number

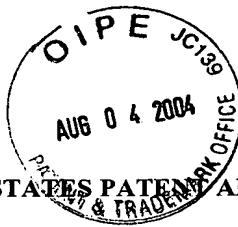
**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)  
I:\USER\CAVAU\DECLARATIONS\237081 RESPONSE NFMP.DOC

  
Steven P. Weihrouch

Registration No. 32,829

Docket No. 237081US26



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Michel FONTAINE

SERIAL NUMBER: 10/807,121

ATTN: APPLICATION BRANCH

FILING DATE: March 24, 2004

FOR: PACKAGING AND APPLICATOR DEVICE FOR A COSMETIC PRODUCT AND/OR A  
BEAUTY CARE PRODUCT INCORPORATING A MEANS OF HEATING

**FILING OF DECLARATION UNDER 37 CFR 1.53(f)**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated June 4, 2004, and in accordance with the provisions of 37 CFR 1.53(f),  
Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the following information:

Name(s) of Inventor(s)

Title of Invention

Attorney Docket Number

Filing Date

thereby adequately identifying the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP  
Section 601.01.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable  
action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Steven P. Weihrouh

Registration No. 32,829

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)

I:\USER\CAVAU\DECLARATIONS\237081 F.O.D..DOC

IPW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/807,121	03/24/2004	Michel Fontaine	237081US26

22850  
 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
 1940 DUKE STREET  
 ALEXANDRIA, VA 22314

CONFIRMATION NO. 3676

## FORMALITIES LETTER



\*OC000000012869165\*

Date Mailed: 06/04/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE